



State of Tennessee Department of Children's Services

Administrative Policies and Procedures: 19.3

Subject: Standard Mental Health Referrals And Transfers For Youth in DCS Youth Development Centers

Supersedes: DCS 19.3, 01/01/02

Local Policy: No
Local Procedures: No
Training Required: No
Applicable Practice Model Standard(s): Yes

Approved by:

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Application

To All Department of Children's Services Youth Development Center Employees, DCS Special Populations Employees, Case Managers and Home County Case Managers

Authority: TCA 37-5-106, TCA 33-3-401- TCA 33-3-408

Policy

Youth in DCS youth development centers requiring mental health residential care and treatment shall be evaluated by a licensed physician, licensed psychologist or licensed psychiatrist designated as a health services provider and referred for transfer to the Department of Mental Health and Developmental Disabilities (DMH/DD).

Procedures

A. Preparation to transfer

1. Referral for evaluation

When a youth is suspected of being mentally ill, treatment team members must review all available information about the youth and refer the youth for evaluation by a designated health services provider.

2. Evaluation report

The designated health services provider must evaluate the youth and write a report documenting the evaluation results

and recommendations.

3. Forwarding referral packet

The superintendent/or designee of the youth development center, based on his/her review of the written report of the designated health service provider, and a determination has been made that a youth is mentally ill and in need of residential care and treatment for that condition which cannot be provided at an appropriate DCS youth development center and which can be provided at an appropriate residential program of the DMH/DD, must forward a mental health referral packet to the DCS mental health program specialist in central office for review within five days (5) of the transfer. The referral packet shall include the certificate of need for residential mental health services signed by the health services provider.

4. Contents of referral packet

The mental health referral packet must include at least the following information:

- a) Commitment documents and face sheet,
- b) Certification of need for residential mental health services,
- c) A descriptive report from the designated health services provider, if separate from the certification statement,
- d) All current and past psychological and psychiatric reports, if available,
- e) Medical information, including immunization record, if available,
- f) Social history,
- g) Summary reports from previous treatment, if available,
- h) Staffing summary and classification documents, if available,
- i) Individual program plan (IPP) and all progress reports, if available
- j) Education reports
- k) Significant disciplinary/observation reports

- l) Social Security number and birth verification, if available

5. Notification to youth

When the youth development center superintendent/or designee is notified by the DCS mental health manager of a scheduled transfer date, the superintendent/or designee must provide the youth with written notification of the pending transfer and the notification must also explain to the youth their right to object to the transfer within twenty-four (24) hours of receiving the notice.

- a) If the youth agrees to the transfer and so states in writing, the youth shall be transferred to the appropriate residential program of DMH/DD having available and suitable accommodations.
- b) If the youth objects, the transfer must be delayed and the youth development center superintendent/or designee must notify the DCS mental health manager, who must convene a transfer committee not less than seven (7) nor more than fourteen (14) days thereafter to determine if the transfer is appropriate. The youth must be informed that he/she is permitted to obtain counsel and to present witnesses at the transfer committee hearing.
- c) If the transfer committee approves the transfer by majority vote, the chair of the committee shall give the minor written notice of the committee's decision, a summary of the factual basis for the decision, and a complaint form for review of the transfer in circuit court.
- d) If the youth does not file a complaint, then they shall be transferred five (5) days after the receipt of the committee's notice.
- e) The minor shall remain in the youth development center pending the decision of the transfer committee.

B. Transfers of official responsibility

When a youth is transferred to a residential facility of the DMH/DD:

1. The DCS mental health manager must notify the youth development center superintendent/designee and the youth's home county case manager of the admission date.

2. The youth development center superintendent/ designee must ensure that the *Formal Letter of Transfer* (form CS-0065) and a copy of the youth's 24-hour transfer notification go with the youth to the mental health program.
3. Within five (5) days of the transfer, the superintendent of the receiving facility of DMH/DD is to determine whether the transfer was appropriate.
4. If the decision to transfer is deemed to be appropriate, the superintendent of the receiving facility of DMH/DD shall immediately give written notice of the decision to the youth.
5. If the superintendent of the receiving facility of DMH/DD determines that the transfer was inappropriate, the superintendent shall immediately transfer the youth back to the youth development center or other appropriate program as designated by the commissioner of children's services.
6. The assigned residential case manager shall ensure that the documentation of the acceptance decision made by the superintendent of the receiving facility shall be obtained for youth development center records.
7. The home county case manager must supervise the youth's case.

**C. Ongoing
consultation and
progress**

While the youth is in a mental health placement, the DCS case managers and DCS mental health manager must keep each other informed of problems, progress and planning for the youth's future.

**D. Return of escaped
youth**

1. Short-term

If the youth escapes from a mental health facility and is apprehended within thirty (30) calendar days after escape, he/she must be returned to the physical custody of the DMH/DD.

2. Long-term

If apprehended more than thirty (30) days after escape:

- a) The youth must be automatically returned to the physical custody of the DCS and placed according to the

recommendations, and through the assessment process.

- b) DCS youth development center staff must have the youth re-evaluated and must again refer the youth for mental health residential care, if needed.

**E. Releases and
returns**

1. After successful treatment

When the youth has successfully completed his/her mental health treatment, the following steps must be taken:

- a) The DMH/DD must send written notification to DCS of the scheduled release date.
- b) The case manager or a representative must attend the DMH/DD staffing at which discharge plans are generated and must consult with mental health staff to determine whether the youth appears ready for release to community/aftercare supervision or ready for return to a DCS youth development center
- c) If release to community/aftercare supervision is being advised, the case manager must prepare release papers as specified by DCS policy [12.1 Return to Home Placement-Youth Adjudicated Delinquent](#). The DCS mental health manager must authorize the release.
- d) The Home County Case Manager must submit release packet to the committing judge.
 - ◆ If the judge objects to the youth's release, the Home County Case Manager must immediately notify the DCS mental health manager.
 - ◆ The case manager must send a copy of the completed release packet to the DCS mental health manager if the judge approves the release papers.
- e) Extended passes pending release from the mental health facility must be approved by the DCS mental health manager and must not be allowed prior to the judge's signing of release papers.

2. After unsuccessful treatment

When the youth has not successfully completed treatment and the DMH/DD initiates transfer of the youth back to DCS, the DMH/DD must notify the youth and the DCS mental

health manager.

- a) If the youth objects to the transfer, the DMH/DD must arrange a transfer hearing in accordance with applicable statutes.
- b) The DCS mental health manager, other DCS program staff/case managers and/or DCS special populations staff as appropriate to aid in placement planning, must attend the transfer staffing.
- c) If the decision of the transfer hearing is to transfer the youth back to DCS, the DCS mental health manager and home county case manager must arrange for the youth to be transported to the appropriate DCS facility.
- d) DCS supervisors and regional health unit staff will guide and assist case managers to advocate effectively for the interest of youth in their dealings with mental and behavioral health practitioners and service agencies.

Forms

CS-0065 Formal Letter of Transfer

Collateral Documents

None

Standards

ACA 3-JTS-4C-41

DCS Practice Model Standard- 7-122D

DCS Practice Model Standard- 7-125D

DCS Practice Model Standard- 8-306